

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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February 23, 1999 LB 92A, 634

Senator Kiel could not make it here this morning. Her bill had to do with the physical handling of children in a school situation and some definitions relating to physical restraint versus corporal punishment. Since she filed that bill, two Supreme Court decisions have come down, both of which have affected, in different ways, the whole idea of corporal punishment and physical restraints. And as between the two bills, one can discern a number of guidelines in the court decisions. In light of that and in light of the fact that it will take some time to sort out and for the school administrators to reflect some opinions or develop some opinions on the useability of the court decisions, Senator Kiel felt that it was untimely at this particular point in time to proceed with this bill, and that we ought to wait and let things sort out a little bit, at least before we proceed with further legislative action. It may be that no legislative action is necessary. So, because of the filings of the court cases and the perceived untimeliness of the bill at this time, she would move and I would move on her behalf to withdraw the bill.

SPEAKER KRISTENSEN: Debate on the motion to withdraw? Seeing none, Senator Beutler, you're recognized to close. He waives closing. The question before the body is, shall LB 634 be withdrawn? All those in favor vote aye; all those opposed vote nay. Record.

CLERK: 31 ayes, 0 nays, Mr. President, to withdraw LB 634.

SPEAKER KRISTENSEN: It is withdrawn. We next move to Select File, appropriations bill, LB 92A.

CLERK: (LB) 92A. Senator Smith, I have no amendments to 92A, Senator.

SPEAKER KRISTENSEN: Senator Smith, you're recognized for a motion.

SENATOR SMITH: Mr. Speaker, I would move we advance LB 92A to E & R for engrossing.

SPEAKER KRISTENSEN: You've heard the motion to advance. All those in favor say aye. Those opposed say nay. It